

Amendment Exempts Fishing Vessels from new Traceability Requirements

July 30, 2009

WASHINGTON, D.C. - Today, the U.S. House of Representatives passed legislation that included an amendment from Congressman Charlie Melancon (LA-03) protecting Louisiana's commercial fishermen and shrimpers from burdensome over-regulation as an unintended consequence of the new food safety bill. Congressman Melancon secured a provision in the Food Safety Enhancement Act of 2009 (H.R. 2749) exempting fishing vessels from the food tracing system established by the bill. *Amendment Exempts Fishing Vessels from new Traceability Requirements*

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Noting that seafood is one of the few FDA-regulated food groups already strenuously regulated under the current system of risk prevention controls, Congressman Melancon said including fishing vessels in the new traceability requirement would not be practical or enforceable.

"Would commercial fishermen be required to tag every fish before they put the fish in the hull?" Rep. Melancon asked. "Would shrimp fishermen have to tag every net that they trawl with the longitude, latitude, and depth of where they caught the product? Would this provision also apply to foreign vessels that sell product to the United States?"

Rep. Melancon continued, "I support the intent of this legislation to improve our nation's food safety system, but I do not believe requiring fishing vessels to trace where they catch wild seafood is practical or enforceable. I am pleased American fishing vessels will be exempt from this traceability requirement."

Congressman Melancon's amendment is attached. During the Energy & Commerce Committee mark-up of the food safety bill, Melancon submitted the following statement in support of his amendment.

Congressman Charlie Melancon
June 17, 2009
Statement for the record
H.R. 2749 Markup

Mr. Chairman,

Thank you, Mr. Dingell, Pallone, and Stupak for your leadership in improving our nation's food safety system. I offer this amendment today to exempt fishing vessels from the food tracing system established by this bill.

Seafood is one of the few FDA-regulated food groups already strenuously regulated under a system of risk prevention controls known as HACCP. Under HACCP, domestic processors already have to prepare site- and product-specific plans that analyze potential safety hazards, determine where they are likely to occur during processing, identify control points and how they will be monitored, and hazards controlled. Fishing vessels are exempt from this requirement, unless they do more than minimal processing.

However, this bill would require "each person who produces, manufactures, processes, packs, transports, or holds food" to participate in a new traceability system to be created by the Secretary of HHS. This clearly includes fishing vessels. I appreciate the Chairman's exemption of fishermen who sell directly into commerce in your manager's amendment. However, the inclusion of all other fishing vessels in this traceability requirement is not practical or enforceable.

Would commercial fishermen be required to tag every fish before they put the fish in the hull? Would shrimp fishermen have to tag every net that they trawl with the longitude, latitude, and depth of where they caught the product? Would this provision also apply to foreign vessels that sell product to the United States?

I support the intent of this legislation to improve our nation's food safety system, but I do not believe requiring fishing vessels to trace where they catch wild seafood is practical or enforceable. I respectfully ask the Committee to consider exempting fishing vessels from this traceability requirement.

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